IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 15TH MARCH 2007 / 24TH PHALGUNA 1928

Bail Appl..No. 1489 of 2007()

AGAINST THE ORDER DATED 08/11/2006 IN CMP 2932/2006 IN CMP.2931/2006 of J.M.F.C.-II, ALUVA
CRIME NO.667/2006 OF KALAMASSERY POLICE STATION

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PETITIONER/ACCUSED NO.2

BASHEER @ BACHI, S/O.MAJEED,
PAILAYIL HOUSE, EDAKKAD PANCHAYATH,
KANNUR.

BY ADV. SRI.E.C.POULOSE
SMT.BOBBY RAPHEAL.C

RESPONDENTS: COMPLAINANTS

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1. STATE OF KERALA, REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA.

2. SUB INSPECTOR OF POLICE, KALAMASSERY POLICE STATION.

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 15/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 1489/2007

Dated this 15th day of March, 2007

O R D E R

The petitioner who is the second accused in Crime No.667/2006 of Kalamassery Police Station for offences punishable under Sections 120B, 447, 302 and 394 IPC read with Section 34 IPC, seeks his enlargement on bail. The occurrence took place on 27.10.2006 during which a thirty year old person by name Krishnankutty was put to death. The petitioner was arrested on 2.11.2006.

2. Even though the learned Public Prosecutor opposed the application, since accused Nos. 1 and 3 in the case had been granted bail by this Court, I see no reason why the petitioner, against whom no other crime has been shown to exist, should be treated differently.

3. Accordingly, the petitioner is directed to be released on bail on his executing a bond for Rs. 10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M-II, Aluva and subject to the following conditions:

(a). The petitioner shall report before

the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

(b). The petitioner shall make himself available for interrogation as and when required by the police till the filing of the final report.

(c). The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

(d). The petitioner shall not commit any offence while on bail.

4. If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

The application is allowed as above.

V.RAMKUMAR,
JUDGE

mrcs